AO 440 (Rev. 06/12) Summons in a Civil Action

FILED-CLERK
U.S. DISTRICT COURT
2014 FEB -7 PM 3:54
TEXAS-EASTERN
BY

# UNITED STATES DISTRICT COURT
for the
Eastern District of Texas

INVENSENSE, INC.

Plaintiff(s)

v.

STMICROELECTRONICS, INC., STMICROELECTRONICS N.V. AND DOES 1 through 9, inclusive

Defendant(s)

Civil Action No. 2:13-cv-405-JRG

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* STMicroelectronics N.V.
WTC Schiphol Airport
Schiphol Boulevard 265
1118 BH Schiphol Airport
The Netherlands

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Eric H. Findlay
Findlay Craft, LLP
6760 Old Jacksonville Hwy, Suite 101
Tyler, TX 75703
903-534-1100
efindlay@findlaycraft.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: **9/24/13**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

David Maland

Signature of Clerk or Deputy Clerk

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Civil Action No. 2:13-cv-405-JRG

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* [illegible handwriting]
was received by me on *(date)* ______________ .

❒ I personally served the summons on the individual at *(place)* ______________
______________ on *(date)* ______________ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* ______________
______________ , a person of suitable age and discretion who resides there,
on *(date)* ______________ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* ______________ , who is
designated by law to accept service of process on behalf of *(name of organization)* ______________
______________ on *(date)* ______________ ; or

❒ I returned the summons unexecuted because ______________ ; or

❒ Other *(specify)*:

My fees are $ ________ for travel and $ ________ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 16-01-14

____
Server's signature

____
Printed name and title

____
Server's address

Additional information regarding attempted service, etc:

913 132 496

Invensense, Inc. v STMicroelectronics, Inc. et al.
Case # 2:13-cv-405-JRG

REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965.

Identity and address of the applicant	Address of receiving authority
Andrew T. Oliver Attorney at Law Turocy & Watson, LLP 560 S. Winchester Blvd., Suite 500 San Jose, California 95128 USA	De Officier van Justitie Postbus 20302 2500 EH THE HAGUE The Netherlands

ARRONDISSEMENTSPARKET 's-GRAVENHAGE
Ingek 11 OKT. 2013

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with Article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e., (identity and address):

STMicroelectronics N.V.
WTC Schiphol Airport
Schiphol Boulevard 265
1118 BH Schiphol Airport
The Netherlands

[X] **a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of Article 5 of the Convention*.**

[ ] **b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of Article 5)*:**

[ ] **c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)*.**

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

Service is requested pursuant to Rule 4(f) (1) or Rule (h)(2), United States Federal Rules of Civil Procedure

List of documents:
Summons in a Civil Action; Second Amended Complaint for Patent Infringement; Exhibit A.

Done at San Jose, California, USA, the 4th day of October 2013

Signature

Andrew T. Oliver

* Delete if inappropriate.

USM-94

Certificate

The undersigned authority has the honor to certify, in conformity with article 6 of the Convention,

1) that the document has been served*
the (date)________________________________
at (place, street, number)________________________________

--in one of the following methods authorized by article 5 –
____ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*
____ (b) in accordance with the following particular method*:

____ (c) by delivery to the addressee, who accepted it voluntarily*

The documents referred to in the request have been delivered to:
-- (identity and description of person)________________________________

-- relationship to addressee (family, business or other):________________________________

2) that the document has not been served, by reason of the following facts*:________________________________

In conformity with the second paragraph of article 12 of the Convention, the applicant is required to pay or reimburse the expenses detailed in the attached statement.*

Annexes

Documents returned:

Done at: ,the

In appropriate cases, documents establishing the service:

Signature and/or stamp.

*Delete if inappropriate.

Invensense, Inc. v STMicroelectronics, Inc. et al.
Case # 2:13-cv-405-JRG

SUMMARY OF THE DOCUMENT TO BE SERVED

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965.

(Article 5, fourth paragraph)

Name and address of the requesting authority:
Andrew T. Oliver (Attorney for Plaintiff)
Turocy & Watson, LLP
560 S. Winchester Blvd., Suite 500
San Jose, California 95128
USA

Particulars of the parties*:

Invensense, Inc. (Plaintiff) vs. STMicroelectronics N.V. (Defendant)
WTC Schiphol Airport, Schiphol Boulevard 265
1118 BH Schiphol Airport, The Netherlands

JUDICIAL DOCUMENT**

Nature and purpose of the document:

To give notice to the defendant of the commencement of a claim for monetary damages against it, and to summon it to serve written defenses to the claim.

Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Civil claim for monetary damages. Plaintiff seeks to have a judgment entered against defendant in a just and equitable way to be determined by the Court of original jurisdiction.

Date and place for entering appearance:**

Not applicable (N/A)

Court which has given judgment:**

Not applicable (N/A)

Date of judgment:**

Not applicable (N/A)

Time-limits stated in the document:**

Defendant is to serve written defenses to the action on Plaintiff's attorney within 21 calendar days after receiving the documents

EXTRAJUDICIAL DOCUMENT**

Nature and purpose of the document: Not applicable (N/A)

Time-limits stated in the document:** Not applicable (N/A)

* If appropriate, identity and address of the person interested in the transmission of the document.
** Delete if inappropriate.

USM-94

Arrondissementsparket Haarlem

Postbus 6079 postcode 2001 HB

3S GRB19246049

Akte van uitreiking (R)

Akte van uitreiking van de gerechtelijke brief, genummerd als hieronder vermeld en bestemd voor:

ST Microelectronics N.V.
Schiphol Boulevard 265
1118 BH Schiphol

Parketnummer

CIV-201305 2309

RC NWMN
Datum ontvangst:
09 JAN 2014
Lurisnummer:

De hierboven bedoelde brief heb ik, ondergetekende:

Adres na verhuisbericht TPG Post

I heden, 7 Januari 2014, te 12.05 uur,

te *(straat, huisnr. en plaatsnaam)* Schiphol Boulevard 265, Schiphol

A ☒ **uitgereikt aan:** L Betist

1 ☐ die verklaarde bestuurder van geadresseerde te zijn.

2 ☐ door geadresseerde schriftelijk gemachtigd voor het in ontvangst nemen van alle aan deze gerichte stukken.

3 ☒ die verklaarde in dienstbetrekking te zijn van geadresseerde en bereid te zijn de brief te bezorgen.

B ☐ ☐ **niet uitgereikt,** omdat:

1 ☐ op het door mij ingevulde adres niemand werd aangetroffen, althans niemand die bereid of bevoegd was de brief in ontvangst te nemen.

2 ☐ volgens mededeling van degene die zich op het door mij ingevulde adres bevond, de geadresseerde daar geen woonplaats of kantoor heeft.

3 ☐ het in de adressering aangegeven pand niet bestaat.

Deze akte heb ik terstond naar waarheid opgemaakt en ondertekend.

Naam en voorletters v.d. Wind, C

Handtekening C v.d. Wind

Functie + standplaats Chauffeur Post nl, Amsterdam

De in deze akte bedoelde gerechtelijke brief is aan mij uitgereikt.

Handtekening voor ontvangst:

In te vullen door TPG Post 08-01-2014

Akkoord Datum

Naam Ton Dorresteijn

Zittingsdatum: RC CB

Arrondissementsparket Den Haag

Postadres Postbus 20302, NL-2500 EH Den Haag Nederland

Bezoekadres
Paleis van Justitie
Prins Clauslaan 60
NL-2595 AJ Den Haag
Telefoon +31 (0)70 381 31 31

Andrew T. Oliver Attorney at Law
Turocy & Watson, LLp
560 S. Winchester Blvrd., Suite 500
San Jose, Calilfornia
95128 USA

Team	Sectie 4/ Internationale Rechtshulp
Contact	Mevr. M.E.van Leeuwen
Telephone extension(s)	+31 88 699 7816
Date	21 January 2014
Our reference	**IR.913.132.496**
Your reference	2:13-cv-405-JRG
Enclosure(s)	-
Concerning	Your request

Gaarne bij uw reactie
onderdeel, contactpersoon,
ons kenmerk en datum vermelden

Dear sir/madam,

Herewith I return your documents. The request made in them has been complied with .

I trust I have been of service to you with this information.

Yours faithfully,
The Public Prosecutor,
by proxy

Mevr. M.E.van Leeuwen
Administrative clerk